

DATE

Sara Andrews
Business Manager
LaSalle Parish School System
P.O. Box 71342
Jena, Louisiana 71342

Re: **Docket No. 2022-195**
Advisory Opinion

Dear Ms. Andrews,

The Louisiana Board of Ethics, at its meeting on May 6, 2022, considered your request for an advisory opinion as to whether the Code of Governmental Ethics ("Code") would prohibit Jena High School from paying for football coaches to attend a coaching clinic hosted by Jena High School employee Ikey Ray.

FACTS PROVIDED

Ikey Ray is employed by the Iberia Parish School System. He is currently a College & Career Readiness / Physical Education teacher and an assistant football coach at Jena High School. Mr. Ray is also an assistant coach for the basketball and track teams.

Mr. Ray is the clinic director of Boot Up Football Clinic. The purpose of the clinic is to offer a professional development opportunity for local area football coaches. The clinic is open for any current or future coach to attend. Mr. Ray operates the clinic as a sole proprietorship. The clinic is not affiliated with Jena High School and is not a part of Mr. Ray's duties as either a teacher or assistant coach. The clinics are not conducted on any LaSalle Parish School System properties.

You ask whether Jena High School can pay the registration fees, or provide reimbursements, to allow its coaches to attend the clinic in the future. There would be five coaches at a cost of \$65 each, for a total of \$325.00.

LAW

La. R.S. 42:1113A(1)(a): No public servant, ... or member of such a public servant's immediate family, or legal entity in which he has a controlling interest shall bid on or enter into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of the agency of such public servant.

La. R.S. 42:1102(19) defines “public servant” to include a public employee.

La. R.S. 42:1102(18)(a) defines “public employee” to mean anyone, whether compensated or not, who is (iii) engaged in the performance of a governmental function, or (iv) under the supervision or authority of an elected official or another employee of the governmental entity.

La. R.S. 42:1102(2)(a) defines “agency” to mean a department, office, division, agency...or other organizational unit of a governmental entity; (vi) for public servants of political subdivisions, it shall mean the agency in which the public servant serves.

La. R.S. 42:1102(23) defines "transaction involving the governmental entity" to mean any proceeding, application, submission, request for a ruling or other determination, contract, claim, case, or other such particular matter which the public servant or former public servant of the governmental entity in question knows or should know:

- (a) Is, or will be, the subject of action by the governmental entity.
- (b) Is one to which the governmental entity is or will be a party.
- (c) Is one in which the governmental entity has a direct interest. A transaction involving the agency of a governmental entity shall have the same meaning with respect to the agency.

ANALYSIS

Ikey Ray is a public servant pursuant to La. R.S. 42:1102(19) and his agency for purposes of the Code is Jena High School, pursuant to La. R.S. 42:1102(2)(a).

As a public servant, La. R.S. 42:1113A prohibits Mr. Ray from being paid by Jena High School for coaches to attend the Boot Up Football Clinic, since any such payment would be a transaction under the supervision or jurisdiction of his agency, Jena High School.

CONCLUSION

The Board concluded, and instructed me to inform you, La. R.S. 42:1113A prohibits Ikey Ray and his sole proprietorship, Boot Up Football Clinic from entering into a transaction with Jena High School for the payment of registration fees for coaches to attend the Boot Up Football Clinic.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. The Board issues no opinion as to past conduct and or to laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions contained in the Louisiana Gaming Control Law.

If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

David M. Bordelon
For the Board

cc: Ikey Ray
Jena High School

DISCLAIMER
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics.
No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.